

Appl. No. 10/089,135  
Amdt. Dated 02/08/2005  
Reply to Office Communication of 10/15/2004

### *Claim Count*

**Claims 25, 27-34, 36-38**, a total of 12 claims, one independent.

**Claims 49-56** total 8 claims, one independent.

The total is 20 claims, 2 independent.

### **REMARKS**

The Office Action stated that "The reply filed on November 1, 2004 is not fully responsive to the prior *Office* Action because of the following omission(s) or matter(s): applicants have amended independent claim 25 to now recite a combination of an electronic tag and patch and have presented new independent claim 49 directed to the elected pneumatic tire, however applicants have not indicated and the examiner cannot readily determine if applicants intended the invention of claim 25 to read on the elected pneumatic tire invention, to read on the non-elected electronic tag invention, or to constitute a newly presented invention; the examiner therefore cannot yet determine the appropriate action to take with respect to the claims now directed to the combination of electronic tag and patch (MIPEP 821.03). See 37 CFR 1.111."

Claim 25 has been amended to read on the elected pneumatic tire invention. Accordingly, the examiner should be able to determine the appropriate action to take with respect to the claims.

Claims 30-33 have been amended to clearly define the invention.

### *Conclusion*

In view of the examiner's restriction requirement, applicant retains the right to present the non-elected claims in a divisional application.

Favorable examination and consideration are respectfully requested. Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,



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I hereby certify that this correspondence is being transmitted to the United States Patent and Trademark Office (Fax No. 703-872-9306) on February 8, 2005.

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: February 8, 2005